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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,521	07/03/2001	Charles Daniel Schaper	Stanford MxL 01	7538
7590 12/15/2004				
Franklin Schellenberg 4023 Villa Vista Palo Alto, CA 94306			EXAMINER MOHAMEDULLA, SALEHA R	
			ART UNIT	PAPER NUMBER
			1756	

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/898,521

Applicant(s)

SCHAPER, CHARLES DANIEL

Examiner

Saleha R. Mohamedulla

Art Unit

1756

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claims 1-23 are pending. The rejections of record are withdrawn in view of Applicant's remarks and amendments.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-23 are rejected under 35 U.S.C. 102(b) as being anticipated by US# 3637377 to Hallman et al.

A method for making a pattern on a support member by projecting an actinic image of the pattern to be reproduced on an electromagnetic-radiation-sensitive element consisting of a support member or substrate having an adhering metallic layer thereon, the metallic layer, as defined herein, being in turn coated with an adhering overlayer of an inorganic material capable of reacting, when exposed to electromagnetic actinic radiation, with the metallic layer. After exposure, the overlayer is peeled, thereby removing from the support member or substrate portions of the metallic layer corresponding to the nonradiated areas of the element, while the radiated areas of the element remain adhering to the support member or substrate. Alternately, after exposure of the element to a pattern forming image, the element is uniformly exposed to actinic radiation for a time sufficient to decrease the adhesion between the metallic layer and the overlayer, and the two layers are separated or peeled away from each other such

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that there is formed a pattern upon the support member or substrate (Abstract). In order to practice the method of the present invention, an electromagnetic-radiation-sensitive element, schematically shown in section at 10 in a grossly exaggerated manner in FIG. 1, is prepared by coating a substrate or support member 12 with a silicon or metallic layer 14 which is in turn coated with an overlayer 16 of inorganic material. The material of the substrate or support member 12 may be a metal or it may be nonmetallic as consisting of, for example, glass, plastic, cardboard, paper, or the like. As mentioned in the copending application Ser. No. 839,038, a list of elements particularly suitable for the metallic layer 14 includes, among others, silver, copper, lead, cadmium, zinc, iron, tin, arsenic, bismuth, cobalt, germanium, indium, manganese, mercury, nickel, selenium, silicon, tellurium, thallium and vanadium, while metals such as gold, rhodium, palladium, platinum, aluminum, magnesium and the like have been found to be of little, if any, usefulness for the purpose of the invention. The metallic layer is in the form of a thin film or of a thin foil of a thickness that may vary, according to the purpose to be accomplished and according to the proposed use of the sensitive element, from a few atom layers to several thousand Angstroms (col. 2, lines 50-70).

3. Claims 1-23 are rejected under 35 U.S.C. 102(b) as being anticipated by US# 3859094 to Franer et al.

In accordance with the invention there is provided a sheet material useful in image transfer techniques whereby a copy of an original is first made after which a fusible coating on the sheet material is transferred thermographically in an imagewise manner to a receptor. The

sheet material of the invention comprises: A. a thin, flexible backing which is transparent to infrared radiation; B. an imageable layer coated over one major surface of said backing, said imageable layer being capable of providing infrared-absorptive image areas upon exposure and development; and C. a continuous, non-tacky, heat-fusible infrared-transparent layer coated over the other major surface of said backing, said heat-fusible layer being tacky at temperatures in the range of about 60.degree. C. to 210.degree. C. The imageable layer of the novel sheet material can comprise various materials (e.g., those which are imaged by exposure to a heat pattern; those which are imaged by exposure to visible light; or those which are imaged by exposure to ultraviolet radiation). To form an image of an original on a receptor, the novel sheet material is used, in one manner, according to the following procedure: A. superimposing said sheet material (of the type having a visibly heat-sensitive imageable layer) over a graphic original having infrared-absorptive image areas; B. briefly exposing said original to intense infrared radiation whereby infrared-absorptive image areas are formed in said imageable layer corresponding to the image areas of said original; C. placing said heat-fusible layer of said sheet material in contact with a receptor; D. exposing said imaged sheet material to intense infrared radiation whereby said heat-fusible layer, in image areas, becomes tacky and fuses; and E. removing said imaged sheet material from said receptor whereby the portions of said heat-fusible layer corresponding to said image areas remain firmly adherently bonded to said receptor (col. 1, lines 25-70).

Conclusion

4. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Saleha Mohamedulla whose telephone number is (571) 272-1387. The Examiner can normally be reached Monday-Friday, from 8:00 AM to 4:30 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Mark Huff, can be reached on (571) 272-1385. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Saleha R. Mohamedulla
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Technology Center 1700
December 12, 2004